

HOUSE No. 2453

The Commonwealth of Massachusetts

PRESENTED BY:

Denis E. Guyer (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act regarding teacher retirement.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Luann Lord	
Denis E. Guyer	2nd Berkshire

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2555 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT REGARDING TEACHER RETIREMENT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 32 of the General laws, as appearing in the 2006 official edition is hereby amended
2 by inserting after section 4(p), the following:

3 (p1/2) Any member of a contributory retirement system who is engaged in a teaching position and holds a
4 certificate issued by the department of education or is exempted from the requirement of certification and who
5 was previously engaged in teaching pupils in any overseas school operated by or receiving assistance from the
6 United States Department of State Office of Overseas Schools or the Department of Defense, or accredited by a
7 United States state education department may, before the date any retirement allowance becomes effective for
8 him, establish such service as creditable service by depositing into the annuity savings fund of the system of
9 which he is a member in one sum, or in installments, upon such terms and conditions as the board may
10 prescribe, an amount equal to five per cent of the compensation received by him during such period of service
11 plus regular interest to the date of such deposit for such previous period, or most recent portion thereof, as he
12 may elect. Payment shall not be made and no credit shall be allowed for such overseas school service in excess
13 of the total service rendered in a public school of the commonwealth to which the member would be entitled to
14 receive credit if he remained in service to age sixty-five, with the maximum credit for service in such overseas
15 schools not to exceed ten years; provided, that no credit shall be allowed and no payment shall be accepted for
16 any service for which the member shall be entitled to receive a retirement allowance, annuity or pension from
17 any other source. Upon completion of such payments, such member shall receive the same credit for such
18 period of his previous non-public school service or portion thereof elected, as would have been allowed had
19 such service been rendered by him in a public school of the commonwealth. Such member shall furnish the
20 board with such information as it shall require to determine the amount to be paid and the credit to be allowed
21 under this paragraph. At the time a retirement allowance becomes due to a member or to a beneficiary under
22 option (d) of subdivision (2) of section twelve, if the service rendered in public schools of the commonwealth
23 on the date either the retirement allowance becomes effective, or on the date the member attained age sixty-five,
24 whichever occurs first, is less than the service in said non-public schools for which the member has paid, credit
25 shall be allowed only for the most recent service rendered in said overseas schools equal to such service
26 rendered in the public schools of the commonwealth and the amount paid for such additional service shall be
27 refunded with accumulated interest, refund to be made only when the retirement allowance becomes due to the
28 member or to the beneficiary under option (d) of subdivision (2) of section twelve, and if it is found that
29 payment has been accepted for any service for which the member is entitled to a retirement allowance, annuity

30 or pension from any other source, the amount paid for such service with accumulated interest shall also be
31 refunded with no retirement credit allowed.